

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ALFONSO RIZZUTO, JR.,

:

Plaintiff

:

CIVIL ACTION NO. 3:14-0020

v.

:

(JUDGE MANNION)

JOHN E. WETZEL, et al.,

:

Defendants

:

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS**
HEREBY ORDERED THAT:

1. Plaintiff's action is **DISMISSED** pursuant to [Federal Rule of Civil Procedure 41\(b\)](#) for failure to prosecute. [Poulis v. State Farm Fire and Casualty Co., 747 F.2d 863, 868 \(3d Cir. 1984\)](#).
2. The Clerk of Court is directed to **CLOSE** this case.
3. Any appeal taken from this order will be deemed frivolous, without probable cause, and not taken in good faith. See [28 U.S.C. §1915\(a\)\(3\)](#).

s/ *Malachy E. Mannion*

MALACHY E. MANNION
United States District Judge

Date: September 29, 2016

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